



MINUTES
OCONEE COUNTY COUNCIL MEETING
Regular Meeting
January 22, 2013

MEMBERS, OCONEE COUNTY COUNCIL
Mr. Joel Thrift, District IV, Council Chairman
Mr. Paul Corbeil, District I, Vice Chairman
Mr. Wayne McCall, District II, Chairman Pro Tem
Mr. Archie Barron, District III
Mr. Reg Dexter, District V

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, Thomas L. Martin County Attorney, County Administrator Scott Moulder, Assistant Administrator Glenn Breed and Clerk to Council Elizabeth G. Hulse present.

Press: Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [www.oconeese.com/council]. In addition it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens. Member of the press present: Ray Chandler/Anderson Independent, Dick Mangrum – WGOG Radio & Norman Cannada/The Daily Journal.

Call to Order: Mr. Thrift called the meeting to order at 6:00 p.m.

Public Comment Session [related to specific agenda items]:

Ms. Susie Cornelius addressed Council regarding Ordinance 2012-38 voicing concerns with existing and planned parking for the old courthouse project; Ordinance 2013-04 voicing concerns that a new bond would be issued when the \$17 million for the jail project has not been spent; and, Sewer South voicing concerns with initial flows and costs.

Mr. Berry Nichols addressed Council regarding Ordinance 2012-38 voicing concerns with existing and planned parking for the old courthouse project.

Mr. Tom Markovich submitted to Council written comments regarding Resolution R2013-01; a resolution commending Mr. Tommy Abbott for his service on the county Planning Commission; which was read into the record and a copy filed with these minutes.

Public Comment Session [related to non-agenda items]:

Mr. B. J. Littleton addressed Council regarding his suggestion that management of the jail be removed from the Sheriff's Office authority and concerns related to visitor comfort at the jail.

County Council Response to Public Comment: None at this meeting

Meeting Recess: Mr. Thrift announced a 10 minute recess at 6:14 p.m.

Meeting Reconvene: Mr. Thrift reconvened the meeting at 6:24 p.m.

Pledge of Allegiance: Mr. Dexter led the Pledge of Allegiance to the Flag of the United States of America.

Minutes: Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve the minutes from the January 8, 2013 regular meeting as presented.

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve the minutes from the January 15, 2013 workshop meeting as presented.

First Reading of the Following Resolutions

[Presentation to Citizen]

Resolution R2013-01 “A RESOLUTION TO MR. TOMMY ABBOTT AS A FOUNDING MEMBER OF AND SERVICE ON THE OCONEE COUNTY PLANNING COMMISSION”

Mr. McCall made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve on first and final reading Resolution R2013-01 as presented.

Mr. Abbott received a standing ovation from Council, staff and citizens present.

Presentations to Council:

Jail Proposal / Sheriff Mike Crenshaw

Sheriff Crenshaw addressed Council regarding building a new jail facility and reviewed some of the history and stumbling blocks affecting the project. Sheriff Crenshaw outlined three options:

1. Remodel existing Jail
2. Build new Jail behind the Pine Street Administrative Complex
3. Build new Jail to the right of the existing facility; where the current paved parking exists.

Sheriff Crenshaw outlined the pros and cons of each option. Discussion followed to include issues related to the City of Walhalla zoning; Carter, Goble, Lee’s recommendations, costs and design.

Sheriff Crenshaw recommended building the new Jail to the right of the existing facility; noting it is a better site; the building would house 192 steel cell pods, a support building would be built [approximately 10,000 square feet] for kitchen & laundry facilities for an estimated cost of \$15.7 million.

Mr. Thrift made a motion, seconded by Mr. McCall, approved 5 – 0 to authorize staff to work with the Sheriff and Carter, Goble, Lee to move forward with this project.

Solar Energy Assessment Presentation / Mr. Terry Kominski, Rouleau & Assts.

Mr. Terry Kominski, Rouleau & Associates, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] and a booklet handout [copy also filed with these minutes] regarding the Solar Energy Assessment approved by Council. Mr. Kominski addressed the following issues in his presentation:

- Initial Findings
- Potential Economic Impact Summary:
 - Direct County Ownership
 - 3rd Party Ownership
 - 3rd Party Ownership with Zero Initial County Investment
- Annual Revenue Benefit Over 20 Year Term
- 25 Year CO2 and NOX/SOX Tonnage Offset
- Recommendations:
 - Pursue the incorporation of a solar thermal hot water system for the OLEC county jail. The existing electric hot water system is dated and consumes an extraordinarily high level of electric power. The county could achieve a 2.4 to 3 year payback based upon the estimated hot water usage at the jail facility.
 - Seriously investigate the adoption of solar photovoltaic technology under a Third Party or outsourced Energy Service Agreement for the three county building facilities listed in the assessment survey. The Pine Street Administrative Center, Walhalla County Library and DSS/Maintenance Complex. These systems could yield a \$1.5 million benefit over the equipment’s lifespan.
 - Investigate the development of the inactive portion of the Seneca landfill or the Five Forks dormant tract of land under a Third Party arrangement. These sites offer the county a potential long-term economic benefit of \$5.9 million (each) and environmental impact of reducing CO2 emissions by 126 thousand tons (each) [*tons verified as different from presentation & report*]. Rouleau & Associates has conducted confidential discussions with three leading organizations that are interested and fully capable of assisting the county with the solar energy asset development.

Mr. Thrift thanked Mr. Kominski for this thorough report.

Administrator's Report & Agenda Summary

Mr. Moulder briefly reviewed with Council and for the public's benefit specifics related to the following matters before Council at this meeting:

Ordinance 2012-34
Ordinance 2012-38
Ordinance 2012-35
Ordinance 2012-36
Ordinance 2013-04 [noting that current Economic Development millage is designated for this project]
Resolution R2013-02
Resolution R2013-03

In addition, Mr. Moulder reviewed the following Action Items before Council.

1. Sewer South Preliminary Engineering Presentation noting that he is seeking Council direction at this meeting regarding moving forward with this project
2. South Carolina Certified Work Ready Community
3. Board/Commission Appointments
4. Old Business: Review/Adoption of the Oconee County Board/Commission Questionnaire [v3]

For the Administrator's Report at this meeting, Mr. Moulder introduced Mr. Chuck Talbert; McAbee, Talbert, Halliday & Company, who presented to Council the Comprehensive Annual Financial Report [CAFR] for the Fiscal Year Ending June 30, 2012.

Mr. Talbert provided Council with a copy of the Independent Auditor's Report [copy filed with these minutes] and the full CAFR [CD copy filed with these minutes – hard copy reports maintained in Finance and Council offices].

Public Hearing Regarding the Following Ordinances

Ordinance 2012-34 "AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN"
[Fair Play Overlay]

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance. No citizen addressed Council.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2011-34.

Ordinance 2012-38 "AUTHORIZING THE SALE, BY OCONEE COUNTY, SOUTH CAROLINA (THE "COUNTY"), OF CERTAIN REAL PROPERTY AND IMPROVEMENTS THEREON (THE "PROPERTY"), AND THE GRANT BY THE COUNTY OF CERTAIN EASEMENTS AFFECTING REAL PROPERTY, OWNED BY THE COUNTY AND LOCATED IN THE CITY OF WALHALLA, SOUTH CAROLINA (THE "CITY"), TO OCONEE COURTHOUSE VENTURES, LLC (THE "COMPANY"), ALL PURSUANT TO AN AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY TO BE ENTERED INTO BY AND BETWEEN THE COUNTY AND THE COMPANY; AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE INCENTIVE AGREEMENTS BY AND BETWEEN THE COUNTY AND THE COMPANY FOR THE PURPOSES OF MAKING AVAILABLE TO THE COMPANY CERTAIN PROJECT INFRASTRUCTURE GRANT FUNDS, INCLUDING THE PROPERTY AND THE PROJECT IN A MULTI-COUNTY BUSINESS OR INDUSTRIAL PARK (THE "PARK"), AND MAKING AVAILABLE TO THE COMPANY CERTAIN SPECIAL SOURCE REVENUE CREDITS; AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT FOR THE ESTABLISHMENT OF THE PARK WITH ONE OR MORE

ADJOINING COUNTIES FOR THE PURPOSE OF INCLUDING THE PROPERTY AND THE PROJECT WITHIN THE PARK; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE COUNTY AND THE CITY RELATING TO THE INCLUSION OF THE PROPERTY AND THE PROJECT IN THE PARK AND THE DISTRIBUTION OF PARK REVENUES; AUTHORIZING, RATIFYING AND AFFIRMING ALL PRIOR ACTS OF OCONEE COUNTY AND ITS OFFICERS AND ELECTED OFFICIALS WITH REGARD TO THE FOREGOING; AUTHORIZING THE EXECUTION AND DELIVERY OF ANY AND ALL DOCUMENTS, INSTRUMENTS OR CERTIFICATES NECESSARY OR DESIRABLE TO ACCOMPLISH THE FOREGOING; AND OTHER MATTERS RELATED THERETO”

Mr. Thrift opened the floor for Public Comment.

Noting that no citizens signed up to address Council; Mr. Thrift opened the floor for any citizen wishing to address Council regarding this ordinance.

Ms. Susie Cornelius reiterated her concerns regarding parking as outlined during Public Comment.

Mr. Thrift asked if any citizens wished to submit written comments regarding this ordinance; no citizen presented any written comments for the record.

Mr. Thrift closed the Public Hearing regarding Ordinance 2011-38.

Third & Final Reading of the Following Ordinances

Ordinance 2012-34 “AN ORDINANCE TO AMEND CHAPTER 38 "ZONING" OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN” *[Fair Play Overlay]*

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2012-34** on third and final reading.

Second Reading of the Following Ordinances

[Note: Public Hearings will be scheduled at or before third & final reading for the following ordinances as required]

Ordinance 2012-35 “AN ORDINANCETO AMEND CHAPTER 38 “ZONING” OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” *[LaMill Request]*

Mr. McCall made a motion, seconded by Mr. Barron, approved 5 – 0 to approve **Ordinance 2012-35** on second reading.

Ordinance 2012-36 “AN ORDINANCETO AMEND CHAPTER 38 “ZONING” OF THE OCONEE COUNTY CODE OF ORDINANCES, INCLUDING ALL ZONING MAPS INCORPORATED THEREIN AND THEREBY, IN CERTAIN LIMITED REGARDS AND PARTICULARS, ONLY; AND OTHER MATTERS RELATED THERETO” *[Gladys Circle Request]*

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to approve **Ordinance 2012-36** on second reading.

First Reading of the Following Ordinances

Ordinance 2013-04 “AUTHORIZING THE ISSUANCE AND SALE BY OCONEE COUNTY, SOUTH CAROLINA, OF ITS NOT EXCEEDING \$2,500,000 GENERAL OBLIGATION BONDS, CONSISTING OF GENERAL OBLIGATION BONDS, SERIES 2013A AND GENERAL

OBLIGATION BONDS, TAXABLE SERIES 2013B; FIXING THE FORM AND CERTAIN DETAILS OF THE BONDS; AUTHORIZING THE CHAIRMAN OF COUNTY COUNCIL AND COUNTY ADMINISTRATOR TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AMENDING ORDINANCE NO. 2012-29 AND OTHER MATTERS RELATING THERETO”

[Echo Hills, Phase I Development Bond]

Mr. Corbeil made a motion, seconded by Mr. Dexter, approved 5 – 0 to approve **Ordinance 2013-04** on first reading.

First Reading of the Following Resolutions

[No Presentations]

Resolution R2013-02 “RELATING TO THE DECLARATION OF INTENT BY OCONEE COUNTY, SOUTH CAROLINA, TO REIMBURSE CERTAIN EXPENDITURES PRIOR TO THE ISSUANCE BY THE COUNTY OF ITS 2013A GENERAL OBLIGATION BONDS”

[related to: Echo Hills, Phase I Development Bond – Reimbursement for monies spent prior to issuance of Bond]

Mr. Corbeil made a motion, seconded by Mr. Barron, approved 5 – 0 to approve on first and final reading **Resolution R2013-02** as presented.

Resolution R2013-03 “CONSENT RESOLUTION FOR JOHNSON CONTROLS BATTERY GROUP, INC.”

Mr. McCall made a motion, seconded by Mr. Corbeil, approved 5 – 0 to approve on first and final reading **Resolution R2013-03** as presented.

Discussion Regarding Action Items

Sewer South Preliminary Engineering Presentation / Action *Mr. Andrew Allen, URS*

Mr. Allen, Project Manager, and Mr. Ryan Page, Project Engineer, addressed Council utilizing a PowerPoint presentation [copy filed with these minutes] and provided Council with a booklet handout entitled “Preliminary Engineering Report: Wastewater Improvements To Serve Golden Corner Commerce Park [GCCP], prepared January 2013” [copy filed separately in County Council office]. The presentation highlighted the following areas:

- Southern Oconee County Area Map & Flow Projections
- Alternatives Analysis & Route Alternative Map
- Preferred Route Map
- Mud Creek Pump Station Gravity Option Map
- Cost Estimates:
 - 1 Pump Station: \$9,936,274 *[including 20% contingency and Professional Services money]*
 - 3 Pump Stations: \$10,674,484 *[including 20% contingency and Professional Services money]*
- Project Schedule
- Summary
 - Reviewed Existing Information and Updated Recommendations for Finding Best Solution to Solve Lack of Wastewater Infrastructure in Southern Oconee County and GCCP
- Recommendations
 - Force Main from GCCP to Coneross Creek Wastewater Treatment Plant [WWTP]
 - Highway 59 Route
 - Most Economical
 - Large Right-of-Way
 - Potential Development
 - Number of Pump Stations
 - 1 Pump Station: lower cost, no connection with gravity lines
 - 3 Pump Stations: higher cost, connection with gravity lines
 - \$8-10 Million Project Budget
 - 18-24 Month Project Timeframe

Discussion followed.

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to direct staff to move forward with URS staff on the recommendation presented for the Highway 59 route with the one [1] pump station option.

South Carolina Certified Work Ready Community [SCCWRC]

Mr. Barron made a motion, seconded by Mr. Corbeil, approved 5 – 0 to authorize the Council Chairman to execute the SCCWRC letter as presented.

Board & Commission Appointments

Board of Zoning Appeals

District II	Mr. Sammy Lee
District IV	Mr. Marty McKee
District V	Mr. Dick Hughes
At Large Seat	Mr. Paul Reckert

Mr. Dexter made a motion to nominate for re-appointment the four existing members for reappointment as listed above. No other nominations were received. Mr. Dexter's motion was approved 5 – 0.

Economic Development Commission

District I	VACANT – Mr. Dave Eldridge
District II	VACANT – Tabled to February 5, 2013
District IV	Mr. Sam Dickson
District V	Mr. Gene Blair

Mr. Dexter made a motion to nominate for re-appointment the District IV and District V existing members as listed above, Mr. Corbeil seconded the motion. No other nominations were received for District IV and V. Mr. Dexter's motion was approved 5 – 0.

Mr. Corbeil made a motion to nominate for appointment for District I, Mr. Dave Eldridge. No other nominations were received for District I. Mr. Corbeil's motion was approved 5 – 0.

Mr. McCall made a motion to nominate for appointment for District II, Mr. C. W Richards. No other nominations were received for District II. Mr. McCall's motion failed on a 1 – 4 vote [Mr. Corbeil, Mr. Barron, Mr. Dexter & Mr. Thrift opposed].

Mr. Thrift tabled any further action on this vacancy until the February 5, 2013 Council meeting to allow Mr. McCall to select another candidate for recommendation.

Library Board

At Large Seat	Mr. Danny Day
At Large Seat	Ms. Ellis Hughes
At Large Seat	VACANT – Ms. Becky Hetherington
At Large Seat	VACANT – Ms. Holly McPheeters
At Large Seat	VACANT – Ms. Alicia Champion
At Large Seat	VACANT – Ms. Priscilla Taylor

Mr. Barron made a motion to nominate to reappoint for a second term Mr. Danny Day and Ms. Ellis Hughes as At Large Members. No other nominations were received for these two seats. Mr. Barron's motion was approved 5 – 0.

Mr. Barron made a motion to nominate Ms. Becky Hetherington.

Mr. Dexter made a motion to nominate Ms. Holly McPheeters.

Mr. McCall made a motion to nominate Ms. Alicia Champion.

Mr. Corbeil made a motion to nominate Ms. Priscilla Taylor.

Mr. Dexter made a motion, seconded by Mr. McCall, approved 5 – 0 to close nominations for the four vacant seats. Mr. Thrift called for the vote on the four candidates. The motions for the four vacant Library Board seats were approved 5 – 0.

Planning Commission

District II	VACANT – Mr. Bradley Hancox
District IV	VACANT – Tabled to the February 5, 2013
District V	Mr. Ryan Honea
At Large Seat	Mr. John Lyle

Mr. Corbeil made a motion to nominate for reappointment Mr. Ryan Honea, District V, and Mr. John Lyle, At Large Member, to the Planning Commission. No other nominations were received. Mr. Corbeil's motion was approved 5 – 0.

Mr. McCall made a motion to nominate Mr. Bradley Hancox to the District II seat. No other nominations were received. The motion was approved 5 – 0.

Mr. Thrift tabled his recommendation to the February 5, 2013 Council meeting.

Old Business

Review/Adoption of the Oconee County Board/Commission Questionnaire Form [v3]

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to adopt as presented the Oconee County Board/Commission Questionnaire [v3].

New Business

None at this meeting.

Executive Session:

Mr. Dexter made a motion, seconded by Mr. Corbeil, approved 5 – 0 to amend the purpose of Executive Session to include litigation matters.

Mr. Dexter made a motion, seconded by Mr. Thrift, approved 5 – 0 to enter Executive Session for the purpose of receiving an Economic Development update and litigation matters updates.

Council entered Executive Session at 8:34 p.m.

Council returned from Executive Session at 9:29 p.m. on a motion by Mr. Dexter, seconded by Mr. Corbeil, approved 5 – 0.

Mr. Thrift stated that no action was taken in Executive Session.

Adjourn

Mr. McCall made a motion, approved unanimously 5 - 0, to adjourn at 9:30 p.m.

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council